

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	
PLAINTIFF,	:	
	:	CASE NO. 1:02-cv-367
V.	:	(consolidated with 1:02-cv-359,
	:	1:02-cv-388, 1:02-cv-431, and
	:	1:02-cv-474)
REAL PROPERTY KNOWN AND	:	
NUMBERED AS 2467 LEGENDS WAY,	:	SENIOR JUDGE SPIEGEL
CRESTVIEW HILLS, KENTON	:	
COUNTY, KENTUCKY , WITH ALL	:	
APPURTENANCES, IMPROVEMENTS,	:	
AND ATTACHMENTS THEREON, et al.,	:	
DEFENDANTS.	:	
	:	

**UNITED STATES' MOTION TO DISMISS REAL PROPERTY KNOWN AND
NUMBERED AS 988 APPLEBLOSSOM DRIVE, VILLA HILLS, KENTUCKY**

The United States, by and through the undersigned Assistant United States Attorney for the Southern District of Ohio, moves this Court pursuant to Fed.R.Civ.P. 41(a)(2) for an order dismissing real property known and numbered as 988 Appleblossom Drive, Villa Hills, Kenton County, Kentucky ("the subject real property"), which is further described as follows:

GROUP #: 5076
PIDN: 013-30-01-003.00

The real property is further described as:

Being all of Lot Three (3) in Seven (7) of The Orchard Subdivision, as shown on Plat 1801 of the Kenton County Clerk's records at Covington, Kentucky.

The United States agreed to the sale of the subject real property by the former record owners, Marc C. Menne and Alice M. Menne.

Therefore, the United States respectfully requests that the Court issue an order dismissing the subject real property from the verified Complaint for Forfeiture in Rem filed with this Court

on May 21, 2002.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Dismiss was served on this 17th day of June, 2004, electronically on: Richard Boydston, Attorney for Union Planters Bank National Association; Kent Allen Britt, Attorney for Attorney for A. William Erpenbeck and Marcia Erpenbeck; Susan Grogan Faller, Attorney for Bank of Corbin; Thomas D. Heekin, Attorney for Richard W. Erpenbeck; Geraldine M. Johnson, Attorney for Bellavista at Gulf Harbour Yacht & Country Club Condominium Association; Earl K. Messer, Attorney for US Bank N.A.; James L. Nieberding, Attorney for Guardian Savings Bank FSB; Cynthia M. Roselle, Attorney for Wells Fargo Home Mortgage; Jeffrey S. Rosenstiel, Attorney for Bank of Corbin; Michael L. Scheier, Attorney for Provident Bank; and Glenn V. Whitaker, Attorney for A. William Erpenbeck and Marcia Erpenbeck; and by regular U.S. Mail on the following:

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